



## **TRINITY CITY PLANNING & ZONING MEETING**

**July 26, 2005  
7:00 pm**

**The Trinity Planning Board held their July 26, 2005 meeting at Trinity City Hall. A quorum was present.**

**PLANNING BOARD MEMBERS PRESENT:** Chairman J. R. Ewings; Planning Board Members Linda Gant, Vernel Gibson, Buddy Maness, Richard McNabb, Danny Phillips, and Robbie Sikes.

**PLANNING BOARD MEMBERS ABSENT:** Melvin Patterson.

**OTHERS PRESENT:** City Manager, Ann Bailie; Planning/Zoning Administrator and Code Enforcement Officer, Adam Stumb; City Clerk, Debbie Hinson, , Council members Bridges and Talbert, and other interested parties.

**ITEM 1. Call to Order.**

Chairman Ewings called the July 26 meeting to order at 7:00 p.m.

**ITEM 2. Pledge of Allegiance.**

Chairman Ewings led the Pledge of Allegiance.

**ITEM 3. Invocation.**

Planning Board member Vernel Gibson gave the invocation.

**ITEM 4. Approval of Minutes**

- a. Planning and Zoning Board (6/28/05)
- b. Board of Adjustments (6/28/05)

Chairman Ewings called for any changes or corrections to the June 28, 2005 minutes. Hearing none, Chairman Ewings called for a motion to approve the June 28, 2005 minutes.

***Motion by Planning member Maness to approve the June 28, 2005 minutes as written, seconded by Planning member Gantt, and approved unanimously by all Planning members present.***

Chairman Ewings called for any changes or corrections to the June 28, 2005 Board of Adjustment minutes. Hearing none, Chairman Ewings called for a motion to approve the June 28, 2005 Board of Adjustment minutes.

***Motion by Planning member Sikes to approve the June 28, 2005 minutes as written, seconded by Planning member Gantt, and approved unanimously by all Planning members present.***

**ITEM 5. Public Comments Section**

Chairman Ewings opened the floor to any public comments.

**Gary Loflin, 7229 Bridlewood Drive, Trinity;** Mr. Loflin discussed the award of Citizen of the Year presented to Mr. Danny Phillips earlier in the month and wanted to extend congratulations to Mr. Phillips.

#### **ITEM 6. Rezoning Request #Z05-04**

Prior to opening this item, Chairman Ewings reviewed the process and procedures followed during the Public Hearing. After review, Chairman Ewings opened this item and asked Mr. Stumb to brief board members on this item.

Mr. Stumb reviewed with members the following items with illustrations and pictures of the current property in question by power point presentation.

The request is for 3.12 acres and includes the parcel located at the corner as well as 2 additional parcels along Regalwood Court and contains approximately 14 Duplex structures. The current zoning for this property is Residential Mixed and the request is to rezone to Highway Commercial. The surrounding zoning for this area is made up of Highway Commercial, Residential Mixed, Residential Agriculture, and Residential 40. The current land use plans are made up of high density commercial, low density commercial, medium density residential, and mixed residential.

Mr. Loflin began remodeling the unit located at the corner of Highway 62 and Finch Farm Road to be used as his own personal office for management of this property, and two (2) properties in the back. This is allowed in the Zoning Ordinance and is considered an accessory use for this property. Mr. Loflin expressed an interest in doing this to the remaining units on the property. In order to do this a Rezoning request had to be made and this represents this process. If approved it is the intent of the property owner to remodel these structures.

Chairman Ewings opened the Public Hearing to anyone who wished to speak in favor of the request.

**Gary Loflin, 7229 Bridlewood Drive, Trinity;** Mr. Loflin stated that his initial request was to establish an office for himself. During my conversation with the Planner I was asked what I planned to do with the other side of this building. I advised the Planner that it was my intention to rent the other side of the building at which time I was informed that a Rezoning Request would be required in order to rent the other side of this unit.

The Rezoning that I have requested supports rental units such as apartments that are currently located on this property. I am attempting to upgrade and make things nicer and to increase property values. Every other corner section surrounding this property is already zoned Highway Commercial. I have had some requests that Trinity develop additional office space inside the City. This would be something different for Trinity. I am requesting that the Planning Board approve this request. If I can rent the additional space next to my office then we could make progression as development dictated.

**Bill East, 7010 Regalwood Court;** Mr. East discussed overgrown grass at the adjoining apartment. After conversation between Mr. East and Manager Bailie concerning how this problem could be resolved, Mr. East stated that he was in favor of this request.

**Charles O'Buckley, 5472 Tom Hill road, Trinity;** I believe this would be a good change for Trinity. Mr. Loflin has done a nice job with the property already located in this area. Anyone that owns property in this area would only benefit by this.

**Chris Gallimore, 6990 Winners Circle, Trinity;** I have a duplex located on Highway 62 down from this property and a house located on Gra-Lan Drive. I think this is a good idea to allow this rezoning. With no others speaking for this request, Chairman Ewings opened the request to anyone who wished to speak in opposition of the request.

**Danny Southern, 6969 Gra-Lan Drive, Trinity;** Mr. Southern stated that he had nothing against what Mr. Loflin was doing as far trying to upgrade the current status. The offices would probably be better than the apartments. Everything around this is already zoned commercial. I feel that the residential area is being pushed out. Commercial property is expensive; however, I feel that this will cause a decrease in the value of our residential property. Mr. Southern discussed the petition that had been signed by neighbors in this residential area concerning the desire not to have this rezoned. When is the commercial rezoning going to stop? I and the neighbors on Gra-Lan Drive are concerned with commercial taking over all of the residential areas in this location and the devaluation of our properties as indicated on the petition.

With no others speaking, Chairman Ewings closed the Public Hearing and turned the request over to Planning Board members for discussion and or action.

Board members, Mr. Loflin, and Mr. Stumb discussed the number of parcels to be rezoned as well as the number of units on these parcels. Mr. Stumb advised members this request included 3 parcels and 14 units. Members discussed the availability and adequacy of parking for this type of zoning. Mr. Loflin advised members that the state had abandoned maintenance on Regalwood Drive and that was now a private road owned by him. He advised members that he had acquired the services of an architect to draw up some plans that utilizes Regalwood Drive located to the rear of the property for parking. This plan will be brought to Mr. Stumb, Planning Administrator if this rezoning request is approved. Discussion continued between Mr. Loflin and members concerning the possibility of what type of future development were planned for this area. Mr. Loflin advised members that during the interim this area will remain apartments but if the need arises we will have the ability to update these units into office/commercial use as vacancy occurs; however, there are no changes planned except for building one (1) at this time.

After further discussion among members concerning the zoning surrounding these properties and the need for additional office spaces, ***member Gibson made a motion to approve the change in the zoning on the requested properties from Residential Mixed to Highway Commercial. The motion was seconded by member Phillips and approved unanimously by all members present.***

#### **ITEM 7.        Zoning Ordinance Amendments (multi family)**

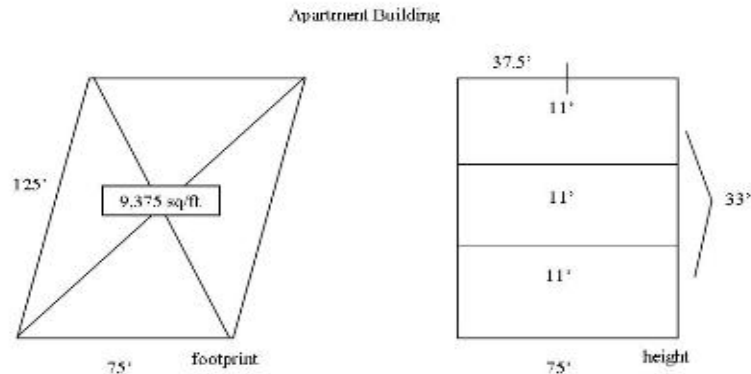
- a.    Height & roof pitch
- b.    Watershed Ordinance

Chairman Ewings opened this item and asked Mr. Stumb to discuss these items with members.

#### **A.        Height and Roof Pitch**

Mr. Stumb began by reviewing the Roof Pitch and Building Height Diagram (below)

### Roof Pitch and Building Height Diagram



Roof Pitch	Roof Height	Total Building Height	
		3 stories	2 stories
4:12	12.5'	45.5'	34.5'
5:12	15.6'	48.6'	37.6'
6:12	18.75'	51.75'	40.75'
7:12	21.8'	54.8'	43.8'
8:12	24.9'	57.9'	46.9'
9:12	28.125'	61.13'	50.13'
10:12	31.25'	64.25'	53.25'

50' or greater

During review Mr. Stumb and members discussed building heights, roof pitch, and how these restrictions would limit the number of units per acre. Members discussed the pros and cons of 2 story versus 3 story complexes. Comments included the feeling that 3 story units allowed more feasibility to offer more amenities, did not limit the future growth opportunities and deter development whereby allowing only 2 story units might, how allowing more units would offer the potential for increased rates in crime, and traffic congestion. Members, Mr. Stumb, and Manager Bailie discussed other municipalities and the different processes used in deciding multi-family restrictions as well as whether multi-family complexes would be allowed in the Highway Commercial District. Mr. Stumb advised members that multi-family would not be allowed in Highway Commercial Districts. The Highway Commercial District would apply to motels and hotels, or office/commercial buildings.

After further discussion concerning limiting roof pitch and height for multi-family complexes, ***member Phillips made a motion to limit the height of these multi-family complex buildings to 35 feet, seconded by member Maness, and approved by vote of 5 ayes and 1 abstaining vote by member Gantt.***

#### **B. Watershed Ordinance**

Mr. Stumb discussed the need to increase the impervious surface area since the height limit was lower. Most impervious surface areas are limited to 24%, however since our height limit has been lowered it is the recommendation of staff to increase the impervious surface area to 30% to 40 %. This is something that the developer would have to request and would be looked at on a case by case basis. The board would not be obligated to grant the extension on impervious surface areas.

Member Gant commented on her earlier comments concerning restriction of watershed in an effort to conserve the watershed allocation for commercial and industrial allocation. Member McNabb asked for clarification from Mr. Stumb that future plans would require site plans. Mr. Stumb indicated this was correct. Mr. Stumb advised members that he needed a motion to either leave the watershed as it currently was at 24% or a motion to allow an increase. An allocation can be made up to 70% or the motion could stipulate that the allocation for multi-family could not exceed 40%. Member Sikes asked for staff recommendation. Mr. Stumb stated that staff did not recommend an allocation of 70%; however an allocation of 30% to 40% would be feasible. If you change the allocation to 30% the developer still has to come to the city and ask for the additional allocation, even then the city is still under no obligation to grant the additional allocation. There was further discussion concerning how the additional allocation would be handled. Mr. Stumb advised members this would be done on a case by case basis and will probably come with the Special Use Permit and/or rezoning. The developer would have to request any additional allotment if the board decides to increase the allocation for the Watershed Ordinance. Currently commercial, and industrial can build up to 70%, residential can not do this without a change in our ordinance.

After further discussion, ***Member McNabb made a recommendation to amend the allocation from 24% to 30% in the Watershed Ordinance, seconded by member Phillips and approved unanimously by all board members present.***

#### **ITEM 8. Fee Schedule Review**

Chairman Ewings opened this item for discussion and or action.

Mr. Stumb discussed the survey provided that illustrated what other municipalities charge for the services provided for Special Use, Rezoning, Major-Minor Subdivisions, and Zoning Permits as well as what the City of Trinity was currently spending for each request that involves legal advertisements, property notifications, materials and staff time. The first two (2) items that involve legal advertisements and property notifications are obvious costs, however, materials and staff time are not. I may use 100 sheets of paper for one request combined with 8 hours of staff time and only 50 sheets with 6 hours of staff time for another. Chairman Ewings suggested using an average of 7 hours since some request take 8 hours and some take 6 hours.

Members and Mr. Stumb discussed the definition of text amendments and the need for charging for this item. This would have the same effect as a rezoning. If someone feels that a change in the text in the Zoning Ordinance is needed and worthwhile then there should be a fee associated with this.

Board of Adjustments section involves legal advertisement, mailing notification to adjoining property owners, as well as materials and staff costs. Minor Subdivisions is a little different. A couple of months ago this board changed this to become a staff decision rather than a board decision. Major Subdivision are brought to this board as well as the City Council for approval.

The last item reviewed was **Figure 8-1 Recommended Changes**

	<b>Current Fee</b>	<b>Recommended Fee</b>
<b>Rezoning</b>	<b>\$300.00</b>	<b>No Change</b>
<b>Special Use Permit</b>	<b>\$300.00</b>	<b>No Change</b>
<b>Text Amendments</b>	<b>\$ 0.00</b>	<b>\$300.00</b>
<b>Board of Adjustments Action</b>	<b>\$ 250.00</b>	<b>\$300.00</b>
<b>Minor Subdivisions</b>	<b>\$35.00 + \$10.00 per lot</b>	<b>\$25.00</b>
<b>Major Subdivisions</b>	<b>\$100.00 + \$10.00 per lot</b>	<b>\$300.00 + \$10.00 per lot</b>
<b>Zoning Permit</b>	<b>\$25.00</b>	<b>\$25.00</b>

Members and Mr. Stumb discussed if these recommended fees were based on average fees. Mr. Stumb discussed changes that may need to take place once the Stormwater Phases are implemented to a square footage fee rather than a flat fee for the zoning permits. Mr. Stumb advised members that the Utilities Committee was reviewing Figure 8-2 and this was provided to the Planning Board for information purposes only. These are new fees that are being proposed for our engineer to come out and inspect the sewer, roadway and stormwater. The higher fee indicates that the inspections will all be done by our engineer and the lower fee indicates that the plans will be submitted and certified by the developer's engineer.

*Member Phillips made a motion to recommend adoption of fees as illustrated in Figure 8-1, seconded by member Sikes, and approved unanimously by all board members present.*

#### **ITEM 9. Comments from the Board**

The following comments were made by Board members.

##### **Member Phillips**

Member Phillips announced that he was getting married in two (2) weeks and would be moving from Trinity. This will be my last meeting as a member of this board. I will be back in a couple of years. Board members congratulated member Phillips on his future wedding and told Mr. Phillips that he would be missed.

Manager Bailie advised Member Phillips that he would missed and that she appreciated all he had done to help the City of Trinity as well as extending her congratulations.

#### **ITEM 10. Comments from Staff**

None

#### **ITEM 11. Adjourn**

With no other business to discuss, Chairman Ewings called for a motion to adjourn the July 26, 2005 meeting.

*Member McNabb made a motion to adjourn the July 26, 2005 meeting, seconded by member Sikes and approved unanimously by all board members present.*

**These minutes were approved by the Planning Board at their August 23, 2005 Meeting as written by motion of Planning Member Maness, seconded by Planning Member Gibson and approved unanimously by all Planning Members present.**